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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Nareak Douk *et al.*

Appl. No. 09/824,832

Filed: April 3, 2001

For: **Temporary Filter Guidewire
and Methods of Use**

Art Unit: TBD

Examiner: TBD

Atty. Docket: P563

First Supplemental Information Disclosure StatementCommissioner for Patents
Washington, D.C. 20231

Sir:

Listed on the accompanying Form PTO/SB/08A are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicant has listed publication dates on the attached PTO/SB/08A based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- ☒ 1. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No statement of fee is required.
- ☐ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
- ☐ a. I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- ☐ b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ c. Attached is our Check No. _____ in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our Check No. _____ in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ a. I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

- ☐ b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ 4. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- ☐ 5. A concise explanation of the relevance of the non-English language document(s) appears below:
- ☐ 6. The Examiner's attention is directed to co-pending U.S. Patent Application No. _____, filed _____, which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.
- ☐ 7. Copies of the documents nos. _____ and _____ were cited by or submitted to the Office in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § _____. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner consider carefully the complete text of these documents in connection with the examination of the above-identified application in accordance with 37 C.F.R. § 1.104(a). It is requested that the documents listed on the enclosed Form PTO/SB/08A be included in the "References Cited" portion of any patent issuing from this

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application (M.P.E.P. 1302.12), and that the Examiner initial and return a copy of the form to evidence consideration of the documents.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 01-2525. A duplicate copy of this pleading is enclosed.

Dated this 19th day of July, 2001.

Respectfully submitted,



Catherine C. Maresh
Registration No. 35,268
Attorney for Applicants
Medtronic AVE, Inc.
3576 Unocal Place
Santa Rosa, CA 95403
Phone No.: (707) 543-0221
Fax No.: (707) 543-5420



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First Named Inventor	DOUK, Nareak
Group Art Unit	TBD
Examiner Name	TBD
Attorney Docket Number	P563 US

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Examiner
Signature

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.